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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
v.)
JORGE MENDOZA ,)
)
Defendant.)

No. 10-CR-00822-DLJ

STIPULATION AND []
ORDER CHANGING STATUS HEARING
FROM JANUARY 29, 2013, AT 9:00 A.M.
TO FEBRUARY 28, 2013 AT 9:00 A.M.
AND EXCLUDING TIME FROM
JANUARY 29, 2013 TO FEBRUARY 28,
2013

The defendant Jorge Mendoza, represented by Robert W. Lyons, Esq., and the government, represented by Thomas A. Colthurst, Assistant United States Attorney, currently have scheduled before this Court a status hearing on January 29, 2013, at 9:00 a.m. The parties request that the status hearing be rescheduled to February 28, 2013 at 9:00 a.m., and that a time exclusion order be issued that would exclude time under the Speedy Trial Act from January 29, 2013 to February 28, 2013, to permit the parties the reasonable time necessary for effective preparation and continuity of counsel.

In support of this request, the parties state the following: More time is needed to resolve the potential conflict of representation issues that have arisen. Another attorney has been

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engaged to assist in this process, and a proposed order has been presented to the Court to facilitate this attorney's ability to visit the defendant in jail. Also counsel for the defendant has a schedule conflict on that date concerning a case in another district.

DATED: January 25, 2013

MELINDA HAAG
United States Attorney

/s/

Thomas A. Colthurst
Assistant United States Attorney

/s/

Robert W. Lyons, Esq.
Counsel for Defendant JORGE MENDOZA

ORDER

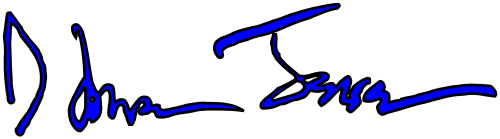
Based upon the stipulation of the parties, and for good cause shown, IT IS HEREBY ORDERED THAT the status hearing in this case be rescheduled from January 29, 2013, at 9:00 a.m. to February 28, 2013 at 9:00 a.m.

Based upon the representation of counsel and for good cause shown, the Court finds that failing to exclude the time from January 29, 2013, through February 28, 2013, would unreasonably deny the defendant continuity of counsel and would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time from January 29, 2013, through February 28, 2013, from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial.

Therefore, IT IS HEREBY FURTHER ORDERED that the time between January 29, 2013, and February 28, 2013, shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

DATED: ~~FEUJTH~~



THE HONORABLE D. LOWELL JENSEN
Senior United States District Judge